

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:05MJ218**

**IN THE MATTER OF THE SEARCH)
OF SWANNANOA VALLEY FAMILY)
MEDICINE, DR. JOHN KELLY, 2296) ORDER
U.S. HIGHWAY70, SWANNANOA,)
NORTH CAROLINA.)**
_____)

THIS MATTER is before the court upon petitioner John Jay Kelly, M.D.'s Motion to Strike/Cancel Order and Lis Pendens, the government's February 7, 2007, Answer, and petitioner's February 16, 2007, Memorandum of law in Support, which the court deems to be petitioner's Reply. Having considered those pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that petitioner John Jay Kelly, M.D.'s Motion to Strike/Cancel Order and Lis Pendens is **CALENDARED** for hearing February 28, 2007, at 10 a.m.

Signed: February 21, 2007

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

